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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,774	08/10/2006	Richard H. Lyon	LYON 1001 US	3836
21403 STEVEN J WE	7590 04/30/200 ISSBURG	EXAMINER		
238 MAIN STR	REET	PAUL, DISLER		
SUITE 303 CAMBRIDGE, MA 02142			ART UNIT	PAPER NUMBER
			2615	
			MAIL DATE	DELIVERY MODE
			04/30/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extension of time reply be evaluate under the proteined of 30 CPH 1-190(i). Into event nower, may a reply be bettey filled.  If NO period for reply is specified above, the maximum statutory punifor will apply and vill expire SEX (3) MONTHS from the mating date of this communication.  Fallents reply within the sort or extended period for regly is specified above. The maximum statutory punifor will apply and vill expire SEX (3) MONTHS from the mating date of this communication.  Fallents reply within the sort or extended period for regly is specified above. The maximum statutory punifor will apply and vill expire SEX (3) MONTHS from the mating date of this communication.  Fallents reply within the sort or extended period for regly is specified above. The maximum statutory punifor will apply and vill expire SEX (3) MONTHS from the mating date of this communication.  Fallents reply within the sort or extended period for regly will by statute, cause the application become a statute of the communication.  Status  1) Responsive to communication (s) Fill of on		Application No.	Applicant(s)				
DISLER PAUL   2615	Office Action Comments	10/553,774	LYON ET AL.				
The MAILIMO DATE of this communication appears on the cover sheet with the correspondence address − Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHIGHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Fathermon from the available under the provisions of 37 CFR 1.138(s), in to event, browner, may reply be timely fled.  If NO period for reply is a specified above, the meantrum statutory period val apply, and will expire SM (50) MONITHS from the mailing date of this communication.  Failure to reply is specified above, the meantrum statutory period val apply, and will expire SM (50) MONITHS from the mailing date of this communication.  Failure to reply within the set or extended period for reply is application and application of the communication of the communication.  Failure to reply within the set or extended period for reply is application of application in set of the communication.  Fathers are supplicated in its intermediate of the communication of the communication.  Fathers are supplicated in its intermediate of the communication of the communication.  Fathers are supplicated in its object of the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213.  Proposition of Claims  4) Claim(s) is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  4a) Of the above claim(s) is/are withdrawn from consideration.  5b) Claim(s) is/are objected to.  8b) Claim(s) is/are objected to.  8c) Claim(s) is/are objected to.  8c) Claim(s) is/are objected to by the Examiner.  10b) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Application Papers  9c) The specification is objected to by the Examiner.  10b) The drawing(s) filed on is/are: a) accepted or b)	Office Action Summary	Examiner	Art Unit				
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WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions for time may be available under the provisions of 3°CFR 1.13(6). In no event, however, may a regly be timely litted after SIX (6) MCMPTS from the mailing date of this communication.  Faither to regive which the sort over extended period for regive 110 yet along apply and etial expire SIX (6) MCMPTS from the mailing date of this communication.  Faither to regive which the sort over extended period for regive 110 yet along apply and the sort over bottome depends on the provision of the communication, even if timely filled, may reduce any same parent time aliquisment. See 3° CFR 1.70(b).  Status  1) □ Responsive to communication(s) filled on	The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address				
1) Responsive to communication(s) filed on 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims 4) Claim(s) is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 2-20.43-6.56-60.78,83.94.87-89.93,94 and 138 is/are allowed. 6) Claim(s) 95 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) material are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No, 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.      Interview Summary (PTO-413) Prior Notice of Informal Patent Application   Speciment of the proper Notice of Drawsperson's Patent Drawing Review (PTO-948)   Speciment of the Proper Notice of Drawsperson's Patent Drawing Review (PTO-948)   Speciment Patent Application   Speciment Patent Application	<ul> <li>WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.</li> <li>Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.</li> <li>If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.</li> <li>Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any</li> </ul>						
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a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)    Notice of References Cited (PTO-892)	<u> </u>	nriority under 35 LLS C. 8 119(a)	-(d) or (f)				
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2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☒ Notice of References Cited (PTO-892)  2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  1 ☐ Notice of Informal Patent Application	·— <u> </u>	s have been received					
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  *Attachment(s)  1) ☑ Notice of References Cited (PTO-892)  20 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) ☑ Information Disclosure Statement(s) (PTO/SB/08)  * See the attached detailed Office action for a list of the certified copies not received.  4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date Paper No(s)/Mail Date  5) ☐ Notice of Informal Patent Application							
application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  *Attachment(s)    Attachment(s)		• • • • • • • • • • • • • • • • • • • •					
* See the attached detailed Office action for a list of the certified copies not received.  *Attachment(s)    Attachment(s)		*	d in this National Stage				
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2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  Paper No(s)/Mail Date  Notice of Informal Patent Application							
Information Disclosure Statement(s) (PTO/SB/08)  5) Notice of Informal Patent Application							
	3) Information Disclosure Statement(s) (PTO/SB/08)						

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## **DETAILED ACTION**

## Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 95 is rejected under 35 U.S.C. 102(e) as being anticipated by Sommerfeldt et al. (US 7,272,234,B2).

Re claim 95, Sommerfedt et al. disclose of the method for transducing an acoustic signal produced in an acoustic medium by a source at a source location, the signal having a frequency within a range from a low to a high, and corresponding wavelength within a range from long to short, the method comprising the steps of: measuring sound pressure at at least two locations along a sensor axis that passes through the source location, at an array location, spaced from the source location (fig.1 wt (104), fig.3, col.5 line 45-67, col.6 line 18-20); based on the measured sound pressure, estimating a sound pressure derivative along the sensor axis at the array location, and generating a signal that is proportional thereto; and driving a loudspeaker, located on the sensor axis, spaced away from the source location farther than is

the array location, with a signal that is proportional to the estimated sound pressure derivative signal (fig.1 wt (102); col.6 line 20-30/based on error signals of microphones speaker is driven and further see fig.8, col.8 line 30-50).

## Allowable Subject Matter

1. Claims 2-20, 43-46,56-60, 78,83-84,87-89, 93-94, 138 are allowed.

While, Elko disclose of the apparatus for transducing an acoustic signal produce by a source, the signal produced by a source, the signal having a frequency within a range and an array of at least two pressure sensors spaced apart along a sensor axis located at an array location; with a processor and the comparator which generate a threshold signal.

However, none of the prior art of record disclose of the feature wherein the loudspeaker that is configured to output sound waves in response to an input, at a loudspeaker location that is on the sensor axis; and a first signal processor, coupled to an output from the array of pressure sensors, configured to generate a signal that corresponds to an estimate of a pressure derivative approximately along the sensor axis at the array location; and a second signal processor, having an input that is coupled to an output of the first signal processor, and having an output that is coupled to the loudspeaker input, which second signal processor is configured to generate an output signal that is proportional to the estimate of derivative signal; and a third signal processor, coupled to

an output from the array of pressure sensors, configured to generate a signal that corresponds to a weighted source pressure sum and a comparator, coupled to an output of the third signal processor that generates the weighted pressure sum signal, configured to generate a pressure sum error signal that corresponds to whether the pressure sum signal is less than a threshold signal; and a fourth signal processor, coupled to an output of the comparator, configured to generate a coefficient signal based on the pressure sum error signal, which coefficient signal is input to the second signal processor which is further configured to generate an output signal that is proportional to the estimate of derivative signal, with a proportionality that is based on the coefficient signal

Re claims the independent claims 43,78,87,93-94,138 have been analyzed and allowed partly for incorporating the similar feature as in claims 2 above.

## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DISLER PAUL whose telephone number is (571)270-1187. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. P./ Examiner, Art Unit 2615

/Vivian Chin/ Supervisory Patent Examiner, Art Unit 2615